September 19, 2003

AMENDMENT AND RESPONSE TO OFFICE ACTION

## Amendment In the Claims

Claims 1-35 (cancelled)

36. (currently amended) A seed, for implantation into a subject, wherein the seed is a combination product comprising

- a) a biocompatible carrier,
- b) one or more therapeutic components,
- c) an imaging, radiopaque, or other diagnostic marker, and
- d) one or more means to maintain location or orientation of the seed <u>upon</u> <u>implantation</u> selected from the group consisting of one or more biodegradable structures effective to prevent migration upon implantation of the seed into a target tissue, one or more biodegradable structures effective to maintain orientation in tissue upon implantation, and one or more compliant setal structures which impart adhesive properties upon implantation into a target tissue,

wherein the seed has a size and shape suitable for passing through the bore of a needle or catheter having an interior diameter of less than about 2.7 mm (10 gauge).

- 37. (currently amended) The seed of claim 4 36 wherein the seed is shaped into a cylinder or rod having a diameter of between about 0.8 to 3 mm and a length of up to 40 mm.
- 38. (currently amended) The seed of claim 4 <u>36</u> wherein the biodegradable structures are comprised of polymeric substances.
- 39. (currently amended) The seed of claim 1 36 wherein the biodegradable structures are comprised of non-polymeric or inorganic substances.

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- (currently amended) The seed of claim 4 36 wherein more than one seed 40. is formed as a continuous chain or array of seeds.
- (previously presented) The seed of claim 40 wherein the chain or 41. continuous array includes spacer material.
- (previously presented) The seed of claim 40 wherein one or more seeds 42. are elongated into strands to form a continuous chain or array of seeds.
- (previously presented) The seed of claim 41 wherein the seeds and 43. spacers in the chain or continuous array are indistinguishably linked.
- (currently amended) The seed of claim 41 wherein the spacers are made 44. of a color, texture, diameter, hardness, or shape of the spacers is used for identification and demarcation.
- (currently amended) The seed of claim 40 wherein the chain or 45. continuous array comprises indiscrete seeds, is flaccid, rigid, flexible, spring-shaped, coiled, spiral-shaped, springy, bent, latticed, knotted, interconnected, linked, or fused.
- (previously presented) The seed of claim 41 wherein spacers are located 46. at varying distances from one another, separated by one, two, three, four, five or more seeds.
- (previously presented) The seed of claim 36 wherein the means to 47. maintain location or orientation is selected from the group consisting of a ridge, bump, related structure, grapple shaped anchor, pop-up wing, cross-style stabilizer, bristle-like, ring-shaped, and alternative shaped structures.

September 19, 2003

AMENDMENT AND RESPONSE TO OFFICE ACTION

48. (previously presented) The seed of claim 36 wherein the means to maintain location or orientation comprises a smart polymer or other substrate to achieve configuration modification at implantation.

- 49. (previously presented) The seed of claim 36 wherein the biocompatible carrier is elastic .
- 50. (previously presented) The seed of claim 36 wherein one or more of the therapeutic components is radioactive.
- 51. (previously presented) The seed of claim 36 wherein one or more of the therapeutic components is non-radioactive.
- 52. (previously presented) The seed of claim 36 wherein the imaging, radiopaque, or diagnostic marker is the biocompatible carrier.
- 53. (previously presented) The seed of claim 36 further comprising a means of tracing the radioactive contents comprising the radioactive component.
- 54. (previously presented) The seed of claim 53 wherein the tracer is fluorescent, luminescent, colored, pigmented, dyed, tagged, or quantum dots.
- 55. (previously presented) The seed of claim 36 wherein one or more of the components comprises a biodegradable magnetic polymer suitable for heating in a magnetic field.